



  
J. Craig Whitley  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

IN RE:

CALVIN RAY KENNEDY a/k/a  
C. RAY KENNEDY and  
CYNTHIA M. KENNEDY,  
  
Debtors.

CASE NO. 20-30208  
CHAPTER 11

**ORDER**

THIS CAUSE, coming on to be heard and being heard before J. Craig Whitley, United States Bankruptcy Judge for the Western District of North Carolina, upon the Motions (1) To Enjoin Use of Cash Collateral, et al. (doc #32)(hereinafter "Motion") of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not in its individual capacity but solely as Owner Trustee of Residential Credit Opportunities Trust II, (hereinafter "Wilmington Savings") and Notice of Hearing and Response of Debtors to Motions, et al. (doc #34)(hereinafter "Response") being heard on October 27, 2020;

It appearing to the Court that the Motion of Wilmington Savings was properly served on all parties including those parties as noted on the Debtors' mailing matrix and that only the Debtors filed a Response thereto;

It further appearing to the Court that James H. Henderson appeared for and on behalf of the Debtors, that William Walt Pettit appeared for and on behalf of Wilmington Savings, that Stacy

C. Cordes appeared for and on behalf of Essendant Co., and that Alexandria P. Kenny, counsel for the Bankruptcy Administrator, appeared; and

It further appearing to the Court that the Debtors have agreed to remit regular monthly payments including principal, interest and escrow in the total sum of \$28,291.84 each to Wilmington Savings on or before November 1, 2020 and December 1, 2020, that the Debtors should be permitted to use cash collateral through December 15, 2020, that the matter should be continued to December 15, 2020 to allow the parties additional time to negotiate and/or resolve the issues raised in the Motion and that the entry of this Order does not prejudice or alter the Debtors' rights to contest any of the factual statements or legal conclusions in the Motion or waive any defenses as set forth in their Response

**NOW, THEREFORE, IT HEREWITH IS ORDERED, ADJUDGED AND DECREED** as follows:

1. That the Debtors be and they are herewith authorized and directed to remit regular monthly payments in the sum of \$28,291.84 each to Wilmington Savings on or before November 1, and December 1, 2020;
2. That the Motion and the Response be and the same herewith are continued to Tuesday, December 15, 2020 at 9:30 a.m. at the U.S. Courthouse, 401 West Trade Street, Charlotte, North Carolina for further hearing; and
3. That the entry of this Order does not prejudice or alter the Debtors' rights to contest any of the factual statements or legal conclusions set forth in the Motion or waive any defenses as set forth in their Response.

This Order has been signed electronically. The Judge's signature and Court's Seal appear at the top of the Order.

United States Bankruptcy Court